

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAUREN SPEARS,

Plaintiff,

v.

EL DORADO COUNTY JAIL, et al.,

Defendants.

No. 2:21-cv-1458 KJM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 14, 2022, the magistrate judge issued findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 16. As of July 14, 2022, plaintiff has not filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

////

1 . . .”). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff’s motion to proceed in forma pauperis (ECF No. 13) is DENIED as moot;

5 2. The findings and recommendations issued June 14, 2022 (ECF No. 16), are
6 ADOPTED in full, and

7 3. This matter is DISMISSED without prejudice for failure to prosecute. *See* Local Rule
8 110; Fed. R. Civ. P. 41(b).

9 DATED: July 14, 2022.

10
11 
12 CHIEF UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28